

Patent  
241/259

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

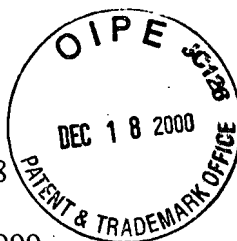
In re the Application of:

De La Torre, et al.

Serial No.: 09/340,908

Filed: June 28, 1999

For: SCREW-TYPE SKIN SEAL WITH  
INFLATABLE MEMBRANE



Group Art Unit: 3763

Examiner: Thanh, L.

*[Handwritten signature]*  
12/26/00

RECEIVED  
DEC 21 2000  
TC 3700 MAIL ROOM

TERMINAL DISCLAIMER

Box Non-Fee Amendment  
Commissioner for Patents  
Washington, D.C. 20231

Sir:

I, James W. Geriak, represent that I am an attorney of record for the above-identified application. General Surgical Innovations, Inc.(hereinafter referred to as "GSI"), the owner of 100% interest in the above-identified invention by virtue of an assignment from the inventors in U.S. Patent Application Serial No. 08/840,104. The assignment from the inventors to GSI is recorded in the Patent and Trademark Office on October 9, 1997 and recorded at Reel 8751, Frame 0746-751.

GSI hereby disclaims the terminal part of any patent granted on the above-identified application which would extend beyond the statutory expiration date of U.S. Patent Nos.

5,964,781 and 5,997,515. Moreover, GSI hereby agrees that any patent so granted on the above-  
OC-69220.1

12/20/2000 AWONDAF1 00000199 09340908

CERTIFICATE OF MAILING  
(37 C.F.R. §1.8a)

CI FD:148

110.00 OP

I hereby certify that I have a reasonable basis to expect that this paper (along with any referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date shown below with sufficient postage as First Class Mail in an envelope addressed to the Commissioner for Patents, Washington, D.C. 20231.

Date of Deposit

12/11/00

*[Handwritten signature]*  
Christina Kavanaugh

identified application shall be enforceable only for and during such period that the legal title to said patent shall be the same as the legal title to U.S. Patent No. 5,964,781 and 5,997,515, this agreement to run with any patent granted on the above-identified application and to be binding upon GSI, its successors, or assigns.

GSI does not disclaim any terminal part of any patent granted on the above-identified application prior to the expiration date of the full statutory term of U.S. Patent Nos. 5,964,781 and 5,997,515 in the event that it later expires for failure to pay a maintenance fee, is held unenforceable, is found invalid, is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. §1.312(a), has all claims cancelled by a reexamination certificate, or is otherwise terminated prior to expiration of its statutory term as presently shortened by any terminal disclaimer, except for the separation of legal title stated above.

Enclosed is a check in the amount of \$110.00 to cover the required filing fees for filing this paper. The Commissioner is hereby authorized to charge Deposit Account No. 12-2475 for any additional fees. If the Examiner has any additional questions or concerns, he is encouraged to contact Applicant's undersigned representative to resolve such issues. Please charge deposit account No. 12-2475 for any additional fees necessitated by the filing of these documents.

Respectfully submitted,  
LYON & LYON LLP

Dated: DEC. 11, 2000

By: James W. Geriak  
James W. Geriak  
Reg. No. 20,233

633 West Fifth Street  
Suite 4700  
Los Angeles, CA 90071-2066  
(949) 567-2300